Federal Defenders
OF NEW YORK, INC.

David E. Patton
Executive Director

Southern District of New York
Jennifer L. Brown
Attorney-in-Charge

March 16, 2020

MEMO END.

By ECF

Honorable Lewis A. Kaplan
United States District Judge
Southern District of New York

Re: United States v. Caesar Diaz, et al., 20 Cr. 176 (LAK)

Dear Judge Kaplan:

On consent of the Government, the defendants jointly request that the Court adjourn the deadline for defendants' suppression motion (March 26)[1] and the next conference (April 15) by 45 days. We make this request because of difficulties arising from the COVID-19 pandemic. In light of current circumstances, the defendants' ability to investigate this case and prepare their suppression motion is seriously hampered. To take just one example, BOP restrictions now prohibit counsel from visiting our clients—both of whom are incarcerated—for at least 30 days, meaning we cannot review the evidence with them or prepare and have them sign any necessary affidavits. Given these unique circumstances, we respectfully request that the Court grant the adjournment.

Defendants consent to an exclusions of Speedy Trial time until the adjourn date. Thank you for your attention to this matter.

Sincerely,

/s/ Jonathan Marvinny

Jonathan Marvinny
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cc: All counsel

MEMO ENDORSEMENT

Time within which to file suppression motion extended to and including May 1, 2020. Govt's opposition due May 15, 2020. Any reply due May 22, 2020. Argument or conference to be held May 27, 2020 at 12 noon.

Time is excluded from now through May 27, 2020. The interests of justice served thereby outweigh the interests of the public and the defendant in a speedy trial *Public*

SO ORDERED. *health emerging.*

Dated: March 24, 2020

Lewis A. Kaplan
United States District Judge

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[1] Government's opposition is due April 9, and defendants' reply is due April 13. We request that these deadlines be adjusted accordingly.